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DRAFT PROVISIONAL RULES OF PROCEDURE FOR THE CONFERENCE

Note by the Secretariat

The Preparatory Committee, at its first session in 1991, considered the draft provisional rules of procedure for the International Conference on Population and Development (E/CONF.84/PC/2). The draft rules were similar to those adopted by the International Conference on Population held at Mexico City in 1984.

Following statements by the representatives of Ghana (on behalf of the States Members of the United Nations that are members of the Group of 77), the Netherlands (on behalf of the States Members of the United Nations that are members of the European Economic Community) and the United States of America, the Preparatory Committee decided to defer consideration of the draft provisional rules of procedure to a subsequent session. The draft has since been revised to incorporate comments made by the Preparatory Committee at its first session and taking into account the relevant subsequent resolutions and decisions of the Economic and Social Council, particularly on the name of the Conference and the involvement of non-governmental organizations in the Conference. The revised draft provisional rules of procedure are contained in the annex to the present note.

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* E/CONF.84/PC/3/Rev.1.

Annex

DRAFT PROVISIONAL RULES OF PROCEDURE FOR THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT

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I. REPRESENTATION AND CREDENTIALS

Rule 1

The International Conference on Population and Development is open to all States Members of the United Nations or members of the specialized agencies and observers in accordance with the practice of the United Nations.

Rule 2

Each State participating in the Conference shall be represented by a head of delegation and no more than two other accredited representatives and such alternate representatives and advisers as may be required.

Alternate and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 4

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the opening of the Conference. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 5

A Credentials Committee of nine members shall be appointed at the beginning of the Conference. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at its forty-eighth session. It shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 6

Pending a decision of the Conference regarding an objection against the participation of a delegation, the latter shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Elections

Rule 7

The Conference shall elect the following officers: a President, 24 Vice-Presidents, a Rapporteur-General, and the Chairman of the Main Committee established in accordance with rule 46, bearing in mind the principle of equitable geographical distribution.

Acting President

Rule 8

1. If the President finds it necessary to be absent from a meeting or any part thereof, he/she shall designate a Vice-President to take his/her place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 9

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his/her delegation to vote in his/her place.

III. GENERAL COMMITTEE

Composition

Rule 10

The President, the Vice-Presidents, the Rapporteur-General of the Conference and the Chairman of the Main Committee shall constitute the General Committee. The President of the Conference, or in his/her absence, one of the Vice-Presidents designated by him/her, shall serve as Chairman of the General Committee. The Chairman of the Credentials Committee may participate, without the right to vote, in the General Committee.

Functions

Rule 11

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. SECRETARIAT OF THE CONFERENCE

Duties of the Secretary-General

Rule 12

1. The Secretary-General of the United Nations, or in his absence, the Secretary-General of the Conference shall act in that capacity in all meetings of the Conference and its subsidiary organs. The Secretary-General of the United Nations or the Secretary-General of the Conference may designate a member of the secretariat to act in his/her place at those meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the secretariat

Rule 13

The secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Make and arrange for the keeping of sound recordings of meetings;

(c) Receive, translate and circulate the documents of the Conference;

(d) Report the proceedings of the Conference in appropriate journals;

(e) Publish and circulate the report and any official records of the Conference;

(f) Arrange for the custody of the documents and records of the Conference in the archives of the United Nations;

(g) Generally perform all other work that the Conference may require in connection with its proceedings.

Statements by the secretariat

Rule 14

The Secretary-General of the United Nations, the Secretary-General of the Conference or any member of the secretariat designated by either for that purpose may, subject to rule 21, make statements concerning any question under consideration.

V. OPENING OF THE CONFERENCE

Temporary President

Rule 15

At the opening of the first meeting of the Conference, the Secretary-General of the United Nations, or in his absence, the Secretary-General of the Conference shall preside until the Conference has elected its President.

Decisions concerning organization

Rule 16

1. On the basis of recommendations submitted by the Preparatory Committee and those emerging from any pre-conference consultations, the Conference shall, to the extent possible at its first meeting:

(a) Elect its officers and constitute its subsidiary organs;

(b) Make decisions concerning the application of these rules and adopt any supplementary rules of procedure;

(c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Conference;

(d) Decide on the organization of its work.

2. Recommendations resulting from pre-conference consultations shall, in principle, be acted on without further discussion.

VI. CONCLUSIONS OF THE CONFERENCE

Report

Rule 17

The Conference shall adopt a report, the draft of which shall be prepared by the Rapporteur-General.

VII. CONDUCT OF BUSINESS

Quorum

Rule 18

The President may declare a meeting open and permit the debate to proceed when at least one third of the representatives of States participating in the Conference are present. The presence of representatives of a majority of such States shall be required for any action to be taken.

General powers of the President

Rule 19

1. In addition to exercising the powers conferred upon him/her elsewhere by these rules, the President shall preside at the plenary meetings of the Conference; he/she shall declare the opening and closing of each meeting, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He/she shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closing of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each participant in the Conference may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his/her functions, remains under the authority of the Conference.

Points of order

Rule 20

Subject to rule 39, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 21

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 20, 22 and 24 to 27, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the Conference and the President may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to speakers and the number of times participants may speak on a question. Permission to speak on a motion to set such limits shall be accorded to only two representatives in favour of and two opposing such limits, after which the motion shall immediately be put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him/her to order without delay.

Precedence

Rule 22

The Chairman or Rapporteur of the Main Committee or a representative designated by any other subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by the organ.

Closing of the list of speakers

Rule 23

During the course of a debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When there are no more speakers, the President shall, with the consent of the Conference, declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 26.

Right of reply

Rule 24

Notwithstanding rule 23, the President shall accord the right of reply to a representative of any State participating in the Conference who requests it. Any other representative may be granted the opportunity to make a reply. Representatives should attempt, in making such statements, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which the request is made.

Adjournment of debate

Rule 25

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded

to only two representatives in favour and two opposing the adjournment, after which the motion shall, subject to rule 28, be immediately put to the vote.

Closure of debate

Rule 26

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded to only two representatives opposing the closure, after which the motion shall, subject to rule 28, be immediately put to the vote.

Suspension or adjournment of the meeting

Rule 27

Subject to rule 39, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 28, be immediately put to the vote.

Order of motions

Rule 28

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submissions of proposals and substantive amendments

Rule 29

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, substantive proposals shall be discussed or put to the vote no earlier than 24 hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 30

A proposal for a motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decisions on competence

Rule 31

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

Reconsideration of proposals

Rule 32

When a proposal has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded to only two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VIII. DECISION-MAKING

General agreement

Rule 33

The Conference should make best endeavours to ensure that its work and the adoption of its report are accomplished by general agreement.

Voting rights

Rule 34

Each State participating in the Conference shall have one vote.

Majority required

Rule 35

1. Subject to rule 33, decisions of the Conference on all matters shall be taken by a simple majority of the representatives present and voting.

2. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

Meaning of the phrase "representatives present and voting"

Rule 36

For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be regarded as not voting.

Method of voting

Rule 37

1. Except as provided in rule 44, the Conference shall normally vote by show of hands, except that a representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each State shall be called in all roll-calls and its representative shall reply "yes", "no" or "abstention".

2. When the Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Conference.

3. The vote of each State participating in a roll-call or a recorded vote shall be inserted in any record of or report on the Conference.

Explanation of vote

Rule 38

Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Conduct during voting

Rule 39

After the President has announced the commencement of voting, no representative shall interrupt the voting except on a point of order in connection with the process of voting.

Division of proposals

Rule 40

A representative may move that parts of a proposal be voted on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded to only two representatives in favour of and two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Amendments

Rule 41

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Order of voting on amendments

Rule 42

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Order of voting on proposals

Rule 43

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a vote is taken on the proposal in question.

Elections

Rule 44

All elections shall be held by secret ballot, unless the Conference decides otherwise.

Rule 45

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

2. If the number of candidates obtaining such a majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

IX. SUBSIDIARY BODIES

Main Committee and working groups

Rule 46

There shall be one Main Committee; working groups may be established, if necessary. The Main Committee, unless it decides otherwise, shall elect three Vice-Chairmen and a Rapporteur.

Representation on the Main Committee

Rule 47

Each State participating in the Conference may be represented by one representative on the Main Committee. It may assign to the Committee such alternate representatives as may be required.

Officers and procedures

Rule 48

The rules relating to officers (rules 7 to 9), the secretariat of the Conference (rules 12 to 14), the conduct of business of the Conference (rules 18 to 32), decision-making (rules 33 to 45) and other participants and observers (rules 56 to 62) shall be applicable, mutatis mutandis, to the proceedings of the Main Committee and working groups, except that:

(a) Unless otherwise decided, the Credentials Committee and any working group shall elect a Chairman and such other officers as it may require;

(b) The Chairman of the General Committee and Credentials Committee and the Chairman of working groups may exercise the right to vote;

(c) A majority of the representatives on the General Committee or Credentials Committee or any working group shall constitute a quorum; the Chairman of the Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the representatives of the States participating in the Conference are present;

(d) Decisions of committees and working groups shall be taken by a majority of the representatives present and voting, except that the reconsideration of a proposal shall require the majority established by rule 32.

X. LANGUAGES AND RECORDS

Languages of the Conference

Rule 49

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

Interpretation

Rule 50

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Conference if he/she provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the secretariat may be based on the interpretation given in the first such language.

Languages of resolutions and other formal decisions

Rule 51

All resolutions and other formal decisions of the Conference shall be published in the languages of the Conference.

Languages of reports

Rule 52

Any reports submitted by the General Committee, the Credentials Committee or the Main Committee established in accordance with rule 46, as well as the report of the Conference referred to in rule 17, shall be published in the languages of the Conference.

Records of meetings

Rule 53

1. There shall be neither verbatim nor summary records of meetings.

2. Sound recordings of meetings of the Conference and of the Main Committee shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Main Committee, no such recordings shall be made of the meetings of any working group thereof.

XI. PUBLIC AND PRIVATE MEETINGS

General principles

Rule 54

1. The plenary meetings of the Conference and the meetings of the Main Committee shall be held in public unless the body concerned decides otherwise.

2. As a general rule, meetings of other organs of the Conference shall be held in private.

Communiqués on private meetings

Rule 55

At the close of a private meeting, the body concerned may issue a communiqué to the press through the Secretary-General of the Conference.

XII. OTHER PARTICIPANTS AND OBSERVERS

Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly in the capacity of observer

Rule 56

Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly have the right to participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committee and, as appropriate, any working group.

Representatives of national liberation movements

Rule 57

Representatives of national liberation movements invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committee and, as appropriate, any working group on any matter of particular concern to those movements.

Representatives of the specialized agencies 1/

Rule 58

Representatives designated by the specialized agencies may participate, without the right to vote, in the deliberations of the Conference, its Main Committee and, as appropriate, any working group on questions within the scope of their activities.

Representatives of other intergovernmental organizations

Rule 59

Representatives designated by other intergovernmental organizations invited to the Conference may participate as observers without the right to vote, in the deliberations of the Conference, its Main Committee and, as appropriate, any working group on questions within the scope of their activities.

Representatives of interested United Nations organs

Rule 60

Representatives designated by interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference, its Main Committee and, as appropriate, any working group on questions within the scope of their activities.

1/ For the purpose of these rules, the term "specialized agencies" includes the International Atomic Energy Agency and the General Agreement on Tariffs and Trade.

Representatives of non-governmental organizations

Rule 61

Non-governmental organizations in consultative status with the Economic and Social Council and other non-governmental organizations accredited to the Conference may be given an opportunity briefly to address the Conference in plenary meeting and its subsidiary bodies. If the number of requests is too large, the non-governmental organizations shall be requested to form themselves into constituencies, each constituency to speak through one spokesperson. Those organizations may also make contributions to the deliberations, as appropriate, on the understanding that they shall not have any negotiating role during the process. Any oral intervention by a non-governmental organization should, in accordance with normal United Nations practice, be at the discretion of the presiding officer and with the consent of the appropriate body of the Conference.

Written statements

Rule 62

Written statements submitted by the designated representatives referred to in rules 56 to 61 shall be distributed by the secretariat to all delegations in the quantities and in the language in which the statements are made available to it at the site of the Conference, provided that a statement submitted on behalf of a non-governmental organization is related to the work of the Conference and is on a subject in which it has a special competence. Written presentations by non-governmental organizations shall be made at their expense and will not be issued as official documents except in accordance with United Nations rules of procedure.

XIII. AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE

Method of amendment

Rule 63

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives present and voting, after the General Committee has reported on the proposed amendment.

Method of suspension

Rule 64

Any of these rules may be suspended by the Conference provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.